

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 07-00012-01-CR-W-DW

v.

DEMARIO B. GRIFFIN,

Defendant.

MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE

PENDING CHARGES: On January 5, 2007, the Grand Jury returned a one count indictment against defendant Demario Griffin. The indictment charges that on about May 13, 2006, defendant Griffin, having been convicted of a crime punishable by imprisonment for a term exceeding one year, possessed ammunition, to wit, forty-one rounds of Wolf .45 caliber ammunition and forty-two rounds of Independence .45 caliber ammunition.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Christina Tabor
Case Agent: Task Force Officer Wayne Hartley
Defense: John O'Connor

OUTSTANDING MOTIONS: Government Motion In Limine to Exclude Defendant's Exculpatory Hearsay Statements doc. # 46; if defendant opposes the motion he will respond next week.

TRIAL WITNESSES:

Government: 9 with stipulations
Defendants: 2 witness, the defendant may testify

TRIAL EXHIBITS

Government: 30 exhibits
Defendant: 5 exhibits for defendant

DEFENSES: General Denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 ½ days

Government's case including jury selection: 2 days

Defense case: ½ day or less

STIPULATIONS: Defendant is stipulating to his prior felony conviction.

UNUSUAL QUESTIONS OF LAW: None. (However, the trial judge should be aware that one potential trial witness has asked for appointment of counsel. The Government will oppose any effort by this witness to claim the Fifth Amendment.)

FILING DEADLINES:

Witness and Exhibit List

Government: Friday before the pretrial conference

Defense: Friday before the pretrial conference

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday July 3, 2007

Please Note: Jury instructions must comply with Local Rule 51.1

TRIAL SETTING: Criminal jury trial docket commencing July 9, 2007.

Please note: Counsel request the second week of the docket due to government witnesses being unavailable the first week

IT IS SO ORDERED.

/s/

SARAH W. HAYS

United States Magistrate Judge